



PO Box 1054

Phone: (701) 328-5500
Fax: (701) 328-5510

COPY

Bismarck ND 58502-1054

www.iadlest.org/ndakota

Mark S. Gilbertson
Executive Secretary

November 14, 2005

MEMBERS

Sheriff Scott W. Busching
Williams County S.O.

Darwin D. Roth
Grant County S.O.

Captain Myron M. Heinle
Bismarck Police Department

Captain Lori R. Malafa
ND Highway Patrol

W. Bryce Hill
Bismarck City Commission

Richard Bendish
Morton County Commission

Sergeant Greg LaHaise
Grand Forks Police Department

Lloyd Halvorson
LRSC Peace Officer Training

Deputy Chief Keith Ternes
Fargo Police Department

Mr. Robert Scott Hook
529 Ramsland Avenue
Hannaford, ND 58448

Dear Mr. Hook:

Please find enclosed a Complaint and Notice of Hearing from the North Dakota Peace Officer Standards and Training Board pertaining to your recent plea of guilty to a criminal offense in the Griggs County District Court.

I would appreciate it if you could contact Mark Gilbertson, Executive Secretary of the P.O.S.T. Board, at 701-328-5500 as to whether you desire a formal hearing on the Complaint or if you would be willing to execute a written waiver of hearing and consent for entry of order by the P.O.S.T. Board concerning your peace officer license. Should you so desire, I would encourage you to contact your legal counsel to discuss this Complaint, hearing procedures, and possible disposition of these Complaint proceedings.

You will note that you have 20 days from receipt of service of the Complaint to file an answer with the executive secretary of the Peace Officer Standards and Training Board at PO Box 1054, Bismarck, North Dakota 58502.

If you desire to contest these proceedings, we will establish a mutually agreed upon hearing date, time, and place before an administrative hearing officer representing the P.O.S.T. Board. You will be provided sufficient notice prior to the hearing so that you and your legal counsel, if you have one, will have time to prepare for the hearing.

We look forward to hearing from you.

Sincerely,

Scott Busching
Chairman

kr/s/pg
Enclosures

STATE OF NORTH DAKOTA

BEFORE THE PEACE OFFICER STANDARDS AND TRAINING BOARD

IN THE MATTER OF:

Robert Scott Hook

)
)
)

COMPLAINT

.....
COMES NOW, Scott Busching, Chairman of the North Dakota Peace Officer Standards and Training Board, who states as follows:

1. The North Dakota Peace Officer Standards and Training Board (referred to as the P.O.S.T. Board) is authorized to hold hearings on complaints to revoke, suspend, or impose probationary conditions upon licenses of peace officers issued pursuant to N.D.C.C. ch. 12-63.

2. Robert Scott Hook is licensed as a peace officer by the P.O.S.T. Board.

3. On the 19th day of August, 2005, in the Griggs County District Court, Robert Scott Hook did receive a sentence including a fine of \$500.00, court administration fees of \$225.00, and ten days in the Barnes County Jail, suspended for a period of one year, subject to probation, and to perform forty (40) hours of community service, after a plea of guilty to the crime of Fleeing or Attempting to Elude a Peace Officer in violation of N.D.C.C. § 39-10-71, a class A misdemeanor, pursuant to a plea of guilty, in the case of State of North Dakota v. Hook, Griggs County District Court Criminal Case No. 20-05-K-00064/001. A copy of the criminal judgment is attached and incorporated into this Complaint as Exhibit A.

4. N.D.C.C. § 12-63-12(1)(a) authorizes the P.O.S.T. Board to suspend, revoke, or impose probationary conditions upon a peace officer's license if that peace

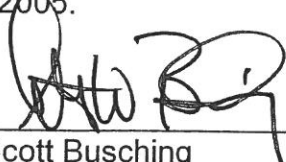
officer has been found guilty before a court of competent jurisdiction of an offense determined by the P.O.S.T. Board to have a direct bearing upon that person's ability to serve as a peace officer.

5. The offense of Fleeing or Attempting to Elude a Peace Officer in violation of N.D.C.C. § 39-10-71 is an offense that has a direct bearing upon the ability of Robert Scott Hook to serve as a peace officer and constitutes grounds for adverse license action pursuant to N.D.C.C. § 12-63-12.

6. That N.D.C.C. § 12-63-16 authorizes the P.O.S.T. Board to order Robert Scott Hook to pay the Board the reasonable and actual costs of this adverse license action case, including reasonable attorney's fees incurred by the Board or its authorized representatives in the investigation, prosecution, resolution, and hearings, whether held before the P.O.S.T. Board, a hearing officer, or administrative law judge, and to suspend the peace officer's license until costs are paid to the P.O.S.T. Board.

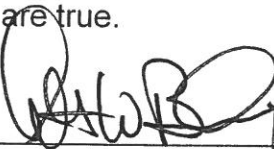
THEREFORE, the complainant requests that a hearing be held to determine whether adverse license action shall be taken against Robert Scott Hook, with such action including, but not limited to, suspension, revocation, or the imposition of probationary conditions upon the peace officer license of Robert Scott Hook, and to assess the costs of the prosecution of this case under N.D.C.C. § 12-63-16.

Dated this 9 day of November, 2005.



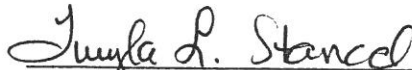
Scott Busching
Chairman
Peace Officer Standards and Training Board
PO Box 1054
Bismarck, ND 58502

The undersigned has reviewed the contents of the above Complaint and believes the allegations set forth in the Complaint are true.

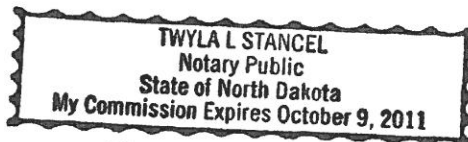


Scott Busching

Subscribed and sworn to before me
this 9 day of November, 2005.



Notary Public



STATE OF NORTH DAKOTA
COUNTY OF GRIGGS

IN DISTRICT COURT
SOUTHEAST JUDICIAL DISTRICT

STATE OF NORTH DAKOTA
Plaintiff

v.

ROBERT SCOTT HOOK
529 RAMSLAND AVE
HANNAFORD ND 58448

D.O.B. 1-12-65

Defendant

CRIMINAL JUDGMENT

Case No. 20-05-K-00064/001

On August 11, 2005, the State Of North Dakota represented by the Prosecuting Attorney, and the Defendant, represented by Bradley Cruff, appeared before the Court and the Defendant entered a plea of guilty to the charge of FLEEING OR ATTEMPTING TO ELUDE POLICE, a Class A MISDEMEANOR, in violation of N.D.C.C. 39-10-71.

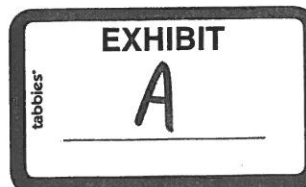
The Court imposes sentence as follows:

- (X) The Defendant will pay a fine in the amount of \$500.00
- (X) The Defendant will pay CRIMINAL ADMINISTRATION FEE in the amount of \$125.00.
- (X) The Defendant will pay DEFENSE/FACILITY ADMIN FEE in the amount of \$100.00.
- (X) The Defendant will pay the total amount assessed by the court \$725.00 for fines/court administration fees/costs paid in MONTHLY installments at rate of \$100.00 beginning 09/10/2005
- (X) The Defendant will serve 10 days in the Barnes County Jail, with 10 days of this sentence being suspended.
- (X) The Defendant will perform 40 hours of community service on or before November 15th, 2005. In this regard, the Defendant must contact GRIGGS COUNTY CLERK OF DISTRICT COURT, PO BOX 326, COOPERSTOWN, ND 58425, 701-797-2772, within forty-eight (48) hours of the date hereof to arrange for an appropriate community service placement. The Defendant will be required to pay (in advance) any program fee required for participation in the community service program.

The Defendant is placed on unsupervised probation for a period of 1 year from the date of this CRIMINAL JUDGMENT. The conditions of probation are as follows:

- (X) The Defendant will not commit another offense during the probationary period.
- (X) The Defendant will promptly comply with all Court orders, including the provisions of this CRIMINAL JUDGMENT which require the Defendant to pay a fine/court administration fee/victim witness fee/restitution/court-appointed counsel fees.

FILED
In District Court
Griggs County, ND



AUG 23 2005

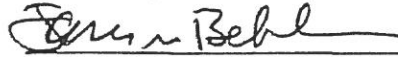
Janice Steffen, Clerk
By Bjd Deputy

A violation of the rules or conditions may result in revocation of the defendant's probation, whereupon the court may impose the maximum penalty allowed by law.
Dated this 11th day of August, 2005.

19th

DEFENDANT

BY THE COURT:



JAMES BEKKEN
DISTRICT JUDGE

STATE OF NORTH DAKOTA

BEFORE THE PEACE OFFICER STANDARDS AND TRAINING BOARD

IN THE MATTER OF:

Robert Scott Hook

)
)
)

NOTICE OF HEARING

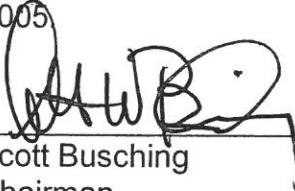
.....
TO: Robert Scott Hook, 529 Ramsland Avenue, Hannaford, ND 58448

YOU ARE HEREBY NOTIFIED that a Complaint has been filed with the Peace Officer Standards and Training Board seeking adverse license action against the peace officer license held by you. A copy of said Complaint is attached to this notice.

An answer to the Complaint must be served upon the Peace Officer Standards and Training Board within 20 days of service of this notice or the Complaint shall be deemed admitted and the Board shall enter such order in default as the facts and law may warrant. The answer shall be served upon the executive secretary of the Peace Officer Standards and Training Board at PO Box 1054, Bismarck, North Dakota 58502.

You are further notified that a hearing on the Complaint will be held no earlier than 45 days after the service of this Complaint upon you. Should you request a formal hearing on this Complaint, you will be notified of the actual hearing date, time, and place of such hearing. You are further notified that the P.O.S.T. Board is authorized to order you to pay its reasonable and actual costs, including attorney's fees, in bringing this case.

Dated this 9 day of November, 2005



Scott Busching
Chairman
Peace Officer Standards and Training Board
PO Box 1054
Bismarck, ND 58502

STATE OF NORTH DAKOTA

BEFORE THE PEACE OFFICER STANDARDS AND TRAINING BOARD

IN THE MATTER OF:)
) AFFIDAVIT OF SERVICE BY MAIL
Robert Scott Hook)
.....

STATE OF NORTH DAKOTA)
) ss
COUNTY OF BURLEIGH)

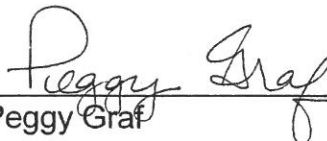
Peggy Graf states under oath as follows:

1. I swear and affirm upon penalty of perjury that the statements made in this affidavit are true and correct.

2. I am of legal age and on the 15th day of November, 2005, I served the attached COMPLAINT and NOTICE OF HEARING upon Robert Scott Hook by placing true and correct copies thereof in an envelope addressed as follows:

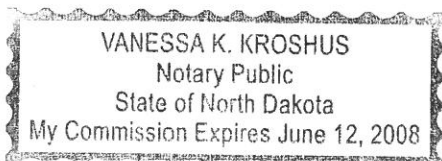
ROBERT SCOTT HOOK
529 RAMSLAND AVE
HANNAFORD ND 58448

and depositing the same, with postage prepaid, certified mail, restricted delivery, in the United States mail at Bismarck, North Dakota.


Peggy Graf

Subscribed and sworn to before me
this 15th day of November, 2005.


NOTARY PUBLIC



COPY

STATE OF NORTH DAKOTA

BEFORE THE PEACE OFFICER STANDARDS AND TRAINING BOARD

IN THE MATTER OF:) **ORDER OF SUSPENSION**
)
Robert Scott Hook)
.....

SUMMARY OF PROCEEDINGS

On or about November 16, 2005, the North Dakota Peace Officer Standards and Training Board (P.O.S.T. Board) served Robert Scott Hook with a verified complaint for adverse license action. On or about December 8, 2005, Robert Scott Hook signed a waiver of hearing, waived his right to contest the matters set forth in the complaint, and consented to entry of an administrative order by the P.O.S.T. Board. On January 5, 2006, Robert Scott Hook and Griggs County Sheriff Paul Hendrickson appeared before the Board and presented statements to the P.O.S.T. Board. Having considered the matter, the P.O.S.T. Board makes and finds the following:

FINDINGS OF FACT

1. The P.O.S.T. Board is authorized to hold hearings on complaints to revoke, suspend, or impose probationary conditions upon licenses of peace officers issued pursuant to N.D.C.C. ch. 12-63.
2. Robert Scott Hook is licensed as a peace officer by the P.O.S.T. Board and is employed as a deputy sheriff with the Griggs County, North Dakota Sheriff's Department.
3. On the 19th day of August, 2005, in the Griggs County District Court, Robert Scott Hook did receive a sentence including a fine of \$500.00, court

administration fees of \$225.00, and ten days in the Barnes County Jail, suspended for a period of one year, subject to probation, and to perform forty (40) hours of community service, after a plea of guilty to the crime of Fleeing or Attempting to Elude a Peace Officer in violation of N.D.C.C. § 39-10-71, a class A misdemeanor, pursuant to a plea of guilty, in the case of State of North Dakota v. Hook, Griggs County District Court Criminal Case No. 20-05-K-00064/001.

CONCLUSIONS OF LAW

1. The P.O.S.T. Board has jurisdiction in this matter pursuant to N.D.C.C. chapter 12-63.

2. N.D.C.C. § 12-63-12(1)(a) authorizes the P.O.S.T. Board to suspend, revoke, or impose probationary conditions upon a peace officer's license if that peace officer has been found guilty before a court of competent jurisdiction of an offense determined by the P.O.S.T. Board to have a direct bearing upon that person's ability to serve as a peace officer.

3. The offense of Fleeing or Attempting to Elude a Peace Officer in violation of N.D.C.C. § 39-10-71 is an offense that has a direct bearing upon the ability of Robert Scott Hook to serve as a peace officer and constitutes grounds for adverse license action pursuant to N.D.C.C. § 12-63-12.

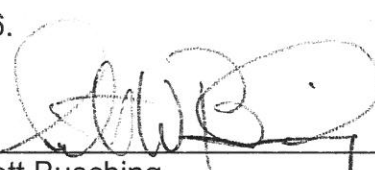
4. Adverse license action should be taken against Robert Scott Hook

ORDER

Based on the above findings of fact and conclusions of law, IT IS HEREBY ORDERED that the North Dakota Peace Officer License of Robert Scott Hook is suspended for a period of sixty (60) days, effective January 9, 2006.

IT IS FURTHER ORDERED that thirty (30) days of the sixty day period of suspension is suspended for a period of one year, effective January 9, 2006, subject to the condition that Robert Scott Hook not commit any violations of any state or federal criminal laws or violate any provisions of North Dakota Century Code Chapter 12-63 or violate any provisions of North Dakota Administrative Code Title 109. The P.O.S.T. Board shall retain jurisdiction over this matter until one year from January 9, 2006.

Dated this 11 day of January, 2006.



Scott Busching
Chairman
Peace Officer Standards and Training Board
PO Box 1054
Bismarck, ND 58502

STATE OF NORTH DAKOTA

BEFORE THE PEACE OFFICER STANDARDS AND TRAINING BOARD

IN THE MATTER OF:)
) AFFIDAVIT OF SERVICE BY MAIL
Robert Scott Hook)
.....

STATE OF NORTH DAKOTA)
) ss
COUNTY OF BURLEIGH)

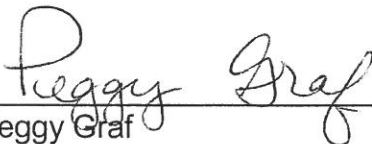
Peggy Graf states under oath as follows:

1. I swear and affirm upon penalty of perjury that the statements made in this affidavit are true and correct.

2. I am of legal age and on the 12th day of January, 2006, I served the attached Order of Suspension upon Robert Scott Hook by placing a true and correct copy thereof in an envelope addressed as follows:

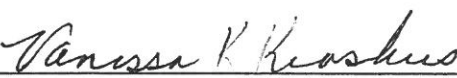
ROBERT SCOTT HOOK
529 RAMSLAND AVE
HANNAFORD ND 58448

and depositing the same, with postage prepaid, certified mail, restricted delivery, in the United States mail at Bismarck, North Dakota.



Peggy Graf

Subscribed and sworn to before me
this 12th day of January, 2006.



NOTARY PUBLIC

